

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RONALD L. BASKETT,  
Plaintiff,

v.

BRIAN AEUR,  
Defendant.

Case No. C05-5743FDB  
ORDER TO SHOW CAUSE

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the court on plaintiff's filing of an application to proceed *in forma pauperis* and a civil rights complaint under 42 U.S.C. § 1983. To file a complaint and initiate legal proceedings plaintiff must pay a filing fee of \$250.00 or file a proper application to proceed *in forma pauperis*.

On November 11, 2005, the clerk received plaintiff's complaint. (Dkt. #1). That same day, the clerk sent plaintiff a letter informing her that he must either pay the \$250.00 court filing fee or submit a proper application to proceed *in forma pauperis* by December 16, 2005, or this matter could be subject to dismissal. (Dkt. #2). On December 2, 2005, the clerk received an *in forma pauperis* application from plaintiff. Plaintiff, however, did not submit the written consent required by Local Rule CR 3(b), which

1 provides in relevant part:

2 At the time application is made under 28 U.S.C. § 1915 or other applicable acts of  
3 Congress, for leave to commence any civil action or to file any petition or motion without  
4 being required to prepay fees and costs or give security for them, each petitioner, movant  
5 or plaintiff shall:

- 6 (1) Complete the in forma pauperis affidavit approved for use in this district; and  
7 (2) File a written consent that the recovery, if any, in the action, to such amount as  
8 the court may direct, shall be paid to the clerk who may pay therefrom all unpaid fees and  
9 costs taxed against the plaintiff, and to his attorney the amount which the court allows or  
10 approves as compensation for the attorney's services.

11 Accordingly, this court orders the following:

- 12 (1) Plaintiff shall seek to cure this deficiency by filing **no later than February 12, 2006**, a copy  
13 of the written consent required by Local Rule CR 3(b)(2).

14 **Failure to cure this deficiency by the above date shall be deemed a failure to properly  
15 prosecute this matter and the court will recommend dismissal of this matter.**

- 16 (2) The clerk is directed to send a copy of this Order to plaintiff along with the appropriate  
17 written consent form.

18 DATED this 12th day of January, 2006.

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Karen L. Strombom  
United States Magistrate Judge